

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

WATERFORD TOWNSHIP POLICE & FIRE : Civil Action No. 1:10-cv-00864-SLT-RER  
RETIREMENT SYSTEM, Individually and On : (Consolidated)  
Behalf Of All Others Similarly Situated, :  
X

**Plaintiff,**

vs.

**SMITHTOWN BANCORP, INC., et al.,**

## Defendants.

## CLASS ACTION

**NOTICE OF UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF  
SETTLEMENT**

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ JAN 13 2015

## **BROOKLYN OFFICE**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Lead Plaintiffs, Waterford Township Police & Fire Retirement System and Michael L. Cox, will move the Court, before the Honorable Sandra L. Townes, United States District Judge for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201, at a date and at such time as may be designated by the Court, for an order granting preliminary approval of the proposed settlement of this putative securities class action, pursuant to Federal Rule of Civil Procedure 23(e), directing that notice be sent to all Class Members and summary notice to be published, and setting a hearing for final approval. This unopposed Motion is based on the Stipulation and Agreement of Settlement and the exhibits annexed thereto, and Lead Plaintiffs' Memorandum of Law in Support of Unopposed Motion for Preliminary Approval of Settlement.

*The motion is respectfully*

The motion is respectfully referred to the magistrate judge for report and recommendation.  
SO ORDERED.

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/s/ Sandra L. Townes

Dated: 1/13/15

U.S. D.J.

DATED: January 12, 2015

Respectfully submitted,

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Additional Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on January 12, 2015, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 12, 2015.

s/ Ellen Gusikoff Stewart  
ELLEN GUSIKOFF STEWART

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## **Mailing Information for a Case 1:10-cv-00864-SLT-RER Waterford Township Police & Fire Retirement System v. Smithtown Bancorp, Inc. et al**

### **Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

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### **Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)